



# COMMONWEALTH of VIRGINIA

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**To:** Ms. Christine Martine, Assistant Director  
Real Estate Appraiser Board  
Virginia Department of Professional and Occupational Regulation  
3600 W. Broad Street  
Richmond, Virginia 23230

**From:** Elizabeth B. Peay  
Assistant Attorney General

**Date:** November 5, 2007

**Subject:** Letter of Assurance for 18 VAC 130-20-10, 18 VAC 130-20-30, 18 VAC 130-20-60, 18 VAC 130-20-110, 18 VAC 130-20-170, 18 VAC 130-20-180, 18 VAC 130-20-210, 18 VAC 130-20-220, 18 VAC 130-20-230 Amending regulations to incorporate federally mandated changes

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I have reviewed the Real Estate Appraiser Board's amendments to the regulations that incorporate the federally mandated changes. The Appraiser Qualification Board has revised the criteria for qualifying education, the period of time the examination is valid, the type of license a supervising appraiser must hold as well as the number of trainees a supervising appraiser may supervise, and qualifying continuing education effective January 1, 2008. In my view, as counsel to the Real Estate Appraiser Board, the Board may promulgate these regulations pursuant to its authority to promulgate regulations under §54.1-2013 of the Code of Virginia. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect. In addition, these regulatory changes are exempt from the requirements of Virginia's Administrative Process Act (APA), Code of Virginia, §2.2-4006 A.4.a because this regulatory change is necessary to conform to the requirements of federal law.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.